

FILED IN CHAMBERS

**ORIGINAL**

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

SEP 25 2012  
U.S. MAGISTRATE JUDGE  
N.D. GEORGIA

UNITED STATES OF AMERICA :

v. :

CRIMINAL INDICTMENT

NO.

1 : 12 - CR - 322

SANTAS HERNANDEZ :

THE GRAND JURY CHARGES THAT:

COUNT ONE

Beginning in or about July 2009, and through on or about July 15, 2010, in the Northern District of Georgia, the defendant, Santas Hernandez, did knowingly harbor, transport, provide, obtain and maintain by any means, in and affecting interstate commerce, a minor under the age of 18 years, namely "N.V.," knowing and in reckless disregard of the fact that "N.V." had not attained the age of 18 years and knowing that "N.V." would be caused to engage in a commercial sex act, in violation of Title 18, United States Code, Sections 1591(a) and (b)(2).

COUNT TWO

Beginning in or about July 2009, through on or about July 15, 2010, in the Northern District of Georgia, and elsewhere, the defendant, Santas Hernandez, did knowingly transport an individual, namely "N.V.," who had not attained the age of 18

years, in interstate commerce with the intent that "N.V." engage in prostitution, in violation of Title 18, United States Code, Section 2423(a).

### FORFEITURE PROVISION

As a result of committing the offenses alleged in Counts One and Two of this Indictment, the defendant, Santos Hernandez, shall forfeit to the United States pursuant to Title 18, United States Code, Section 2428, any and all property, real or personal, constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of said violations and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of the violations alleged in Counts One and Two of this Indictment, including but not limited to:

- (a) A sum of money representing the amount of proceeds obtained as a result of the offenses.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or

- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) as incorporated by 28 U.S.C. § 2461 (c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

A True BILL



FOREPERSON

SALLY QUILLIAN YATES  
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